

# SENATE BILL REPORT

## ESSB 5269

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As Amended by House, April 6, 2007

**Title:** An act relating to establishing the first peoples' language and culture teacher certification program.

**Brief Description:** Establishing the first peoples' language and culture teacher certification program.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin and Kilmer).

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/22/07, 2/12/07 [DPS].  
Passed Senate: 3/06/07, 48-0.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5269 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Holmquist, Ranking Minority Member; Clements, Eide, Hobbs, Kauffman, Oemig, Rasmussen and Weinstein.

**Staff:** Susan Mielke (786-7422)

**Background:** In 2003, the Washington State Board of Education (SBE) adopted a rule establishing a three-year First Peoples' Language/Culture Certification pilot program. SBE's stated purpose for establishing the program included contributing to the preservation, recovery, revitalization, and promotion of First Peoples' languages and providing the opportunity for tribal children to learn and share their language at a public school.

In 2005, the Legislature passed legislation transferring authority for educator preparation and certification from SBE to the Professional Educator Standards Board (PESB). The First Peoples' Language/Culture Certification pilot program was to conclude at the end of the 2005-06 school year. However, in May 2006, the PESB provided a one-year extension of the First Peoples' Language/Culture Certification pilot program. At the January 2007 meeting of PESB, PESB voted to make the pilot program a permanent program.

To date, 11 tribal governments have participated in the pilot program. Twenty First Peoples' Language/Culture teacher certificates were awarded addressing eight different tribal languages.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Engrossed Substitute Bill:** The Washington State First Peoples' language and culture teacher certification program is established in statute. The act may be known as the "First Peoples' language/culture teacher certification act: Honoring our ancestors."

PESB will adopt rules to implement the program in collaboration with sovereign tribal governments that choose to participate. Participating tribal governments may certify individuals who meet the tribe's criteria. Before certifying an individual, the tribal government must conduct a background check through the tribal police departments within Washington State. The tribal government will send to the Superintendent of Public Instruction (SPI) the background check information and other information necessary for the individual to receive a state certificate. SPI must conduct a background check through the Washington State Patrol and the Federal Bureau of Investigation before awarding a state certificate. The individual must be certified by both the tribal government and SPI to teach the languages and cultures designated on the certificate and no other subjects under this certification.

Individuals with this certification meet the definition of a "highly qualified teacher" of the federal No Child Left Behind act when teaching First Peoples' language and culture, subject to approval by the federal Department of Education. Teaching certificates awarded under the pilot language/culture program remain valid.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Our Native American kids are least likely to graduate from high school or go to college. This program will help our kids have an identity and provide relevancy. It will allow us to expose children to native values and philosophy. We are appropriately turning to the tribes for help. The tribes are the content experts and that is why the tribes establish the criteria to get this certification. Students would rather learn the language of family instead of some foreign language. Too many of our people are a product of the boarding schools where they were not allowed to participate in their native culture; they were forced to assimilate and not allowed to speak their own language. Many of our languages have disappeared and we need to act so that our languages do not die. This establishes a platform for new speakers of our language. It will help the tribes to reclaim their language, culture and history.

OTHER: The Professional Educators Standards Board did approve the pilot program for First People's Language/Culture teacher certification as a permanent program at the January 2007 meeting.

**Persons Testifying:** PRO: Joran Laville, Lummi Tribe; Linda James, Education Opportunity Caucus; Lee Adolph, Colville Tribes; Bob Cooper, Washington Association of Colleges of Teacher Education; Lucinda Young, Washington Education Association; George Scarola, League of Education Voters.

OTHER: Nasue Nishida, Professional Educator Standards Board.

**House Amendment(s):** Expands the teacher certification that is created to include oral tribal traditions. Removes the requirement that tribal police departments provide a background check on applicants for certification and, instead, requires the tribal law enforcement agencies and the Washington State Patrol to enter into government-to-government negotiations regarding the exchange of background information on applicants for certification. Makes technical changes.